

cubic centimeters, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration was alleged in respect to both products for the further reason that their strength and purity fell below the professed standard and quality under which they were sold.

The articles were alleged to be misbranded in that the statements on the labels, "Fluid Extract Aconite N. F." and "Tincture Opium U. S. P. XI", were false and misleading since the former did not conform to the standard laid down in the National Formulary and the latter did not conform to the standard laid down in the United States Pharmacopoeia, 11th revision.

On January 11, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

26800. Misbranding of phenobarbital sodium, and Ven-Calxodine. U. S. v. The Intra Products Co. Plea of guilty. Fine, \$50. (F. & D. no. 38035. Sample nos. 59413-B, 59416-B.)

This case involved quantities of ampoules of phenobarbital sodium and of Ven-Calxodine. The phenobarbital sodium ampoules contained in some instances a greater quantity, and in others a smaller quantity of phenobarbital sodium than that represented on the label. The Ven-Calxodine ampoules contained a greater proportion of sodium iodide than that represented on the label.

On November 13, 1936, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Intra Products Co., a corporation, Denver, Colo., charging shipment by said corporation in violation of the Food and Drugs Act, from the State of Colorado into the State of California on or about September 28, 1935, of a quantity of phenobarbital sodium, and on or about January 3, 1936, of a quantity of Ven-Calxodine that were misbranded.

The phenobarbital sodium ampoules were alleged to be misbranded in that the statement, "Phenobarbital-Sodium 3 Grains", borne on the label of the ampoules, was false and misleading in that it represented that each of the ampoules contained neither more nor less than 3 grains of phenobarbital sodium; whereas in fact some of the ampoules contained more, and others contained less than 3 grains of phenobarbital sodium.

The Ven-Calxodine was alleged to be misbranded in that the statement, "Sodium Iodide (NaI) 0.23 Gm. (4 Grs.) * * * in each 20 Mil. Ampoule", borne on the label of the ampoules, was false and misleading in that it represented that each of the ampoules contained 0.23 grain of sodium iodide per 20 milliliters, and that each of the ampoules contained 4 grains of sodium iodide per 20 milliliters; whereas in fact each of the ampoules contained more than 0.23 grain of sodium iodide per 20 milliliters and more than 4 grains of sodium iodide per 20 milliliters.

On December 8, 1936, a plea of guilty was entered on behalf of defendant corporation and the court imposed a fine of \$50.

W. R. GREGG, *Acting Secretary of Agriculture.*

26801. Misbranding of Juice-O-Veg. U. S. v. 54 Cases of 24 Bottles Each and 21 Additional Bottles of Juice-O-Veg. Default decree of condemnation and destruction. (F. & D. no. 38107. Sample no. 60192-B.)

The bottle labels of this article and an accompanying circular contained false and misleading representations that it consisted of vegetable juice, when it contained fruit juice in addition to vegetable juice; and said circular also contained false and fraudulent representations regarding its curative or therapeutic effects.

On August 3, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 54 cases containing 24 bottles each and 21 additional bottles of Juice-O-Veg at Long Beach, Calif., alleging that the article had been shipped in interstate commerce on or about May 19, 1936, by Juice-O-Veg, Inc., from New York, N. Y., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article showed that it consisted of plant juices, 95 percent of which was water, and that each 100 cubic centimeters contained an inconsequential proportion of salts of iron, calcium, manganese, magnesium, potassium, and sodium, including phosphates and silicates.